



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

SFUND RECORDS CTR  
2204694

November 3, 2003

Mr. Travis Bice  
Chief Executive Officer  
Circuit Express, Inc.  
229 South Clark Drive  
Tempe, AZ 85281

RE: South Indian Bend Wash Superfund Site: Circuit Express, Inc.

Dear Mr. Bice:

Thank you for the execution of the Third Extension of the Tolling Agreement at the South Indian Bend Wash Superfund Site ("SIBW" or "the Site"). This provides the time needed to bring your involvement at the Site to a conclusion. The Environmental Protection Agency ("EPA" or "the Agency") intends to work cooperatively with all remaining parties at the Site in an effort to reach fair and equitable settlements. EPA expects that a settlement with Circuit Express, Inc. ("Circuit Express") would be in the form of a Consent Decree that would include standard provisions. Such an agreement would include "contribution protection," that is, immunity from suits by other responsible parties at the Site.

By this letter, EPA requests that you provide a settlement offer to EPA which will be the starting point for negotiation of a Consent Decree. EPA is seeking to recover costs associated with EPA's investigation of the Circuit Express facility. EPA estimates that these costs do not exceed \$150,000.

You may request a financial review from EPA if you believe that Circuit Express has a limited ability to pay any cash settlement. EPA will conduct such a review on the basis of financial documentation provided by you and will advise you of the amount EPA's analysis concludes Circuit Express could pay without jeopardizing its ability to continue to conduct business. If you wish to apply for a financial review and corresponding settlement terms, please contact Jim Collins, Assistant Regional Counsel, at (415) 972-3894.

Please respond with your offer of settlement, or your request for financial review, at your earliest convenience, but no later than thirty (30) days from your receipt of this letter. If you have any questions regarding this letter, please contact me at (415) 972-3261 or the SIBW project manager, Melissa Pennington, at (415) 972-3153.

Sincerely,

Sean Hogan, Chief

## Private Sites and DOE Section

cc: M. Pennington (SFD-8-2)  
J. Collins (ORC-3)